IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 571 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PRAHLADJI BABAJI THAKORE

Versus

DEVANSHU LAXMANBHAI GANDHI HEIR & LR OF L.R. GANDHI

Appearance:

MR RAVINDRA SHAH for Appellants No. 1-2

MR PM BHATT for Respondents No. 1-4

MR YOGESH S TRIVEDI for Respondents No. 5/1-5/2,5/2B-5/2C

NOTICE SERVED for Respondents No. 5/2A

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 17/01/2002

ORAL JUDGEMENT

1. Heard Mr.Ravindra Shah, learned advocate for the appellants and Mr.P.M.Bhatt, learned advocate for the respondent Nos.1 to 4.

2. With the consent of learned advocate for both the parties, this appeal is disposed of by giving following directions.

i. The learned Judge of the trial Court is directed to decide and dispose of Special Civil Suit No.221 of 1994, which is pending on the file of 4th Joint Civil Judge (S.D.), Ahmedabad (Rural), Mirzapur, Ahmedabad, as expeditiously as possible preferably on or before 31st December, 2002.

ii. Both the parties are directed to extend fullest co-operation to the learned Judge of the trial Court so as to enable him to dispose of the suit within a given time.

iii. Meanwhile, the order dated 30th November, 1999 passed by this Court (Coram : R.P.Dholakia,J.) in Civil Application No.187 of 1999, shall remain operative and effective till the final disposal of the suit. Copy of the said order dated 30th November, 1999 passed in Civil Application No.187 of 1999 be sent alongwith writ of this order to the trial Court.

3. In view of the directions given hereinabove, this appeal shall stand disposed of. No order as to costs.

(H.H.Mehta,J.)

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